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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

RONNIE W. WAN,

Plaintiff(s),

v.

NEVADA STATE BANK HOME  
LOANS SERVICING, LP, et al.,

Defendant(s).

2:13-CV-2180 JCM (CWH)

**ORDER**

Presently before the court is a motion to dismiss filed by defendants Nevada State Bank, MersCorp, Inc., and Mortgage Electronic Registration Systems, Inc. (Doc. # 5). Though the response deadline has passed, *pro se* plaintiff Ronnie W. Wan has not filed an opposition.

In their motion, defendants argue that the complaint in this matter is nothing more than a “form complaint” and asserts many factual contentions that are entirely baseless. Further, they argue that several of plaintiff’s claims are time barred.

Failure to follow the local rules of a district court may constitute a proper ground for dismissal. *United States v. Warren*, 601 F.2d 471, 474 (9th Cir. 1979). “Before dismissing the action, the district court is required to weigh several factors: (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (internal citation

1 omitted).


2 Local Rule 7-2(d) provides that the failure of a party “to file points and authorities in  
3 response to any morion shall constitute a consent to the granting of the motion.” In consideration of  
4 the extremely generalized nature of plaintiff’s complaint, plaintiff’s failure to file an opposition, the  
5 interest of expeditious resolution of litigation, the courts need to manage its docket, the risk of  
6 prejudice to defendants, the public policy favoring disposition of cases on their merits, and the  
7 availability of less drastic sanctions, the court finds that dismissal without prejudice is appropriate.

8 Accordingly,

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendants’ motion to  
10 dismiss (doc. # 5) be, and the same hereby is, GRANTED.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that plaintiff’s complaint shall  
12 be dismissed without prejudice. The clerk of the court shall enter judgment accordingly and close  
13 the case.

14 DATED April 1, 2014.

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17 **UNITED STATES DISTRICT JUDGE**